

Notice of Allowability

Application No.

09/715,639

Examiner

Wenpeng Chen

Applicant(s)

PEKER ET AL.

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendments and response filed on 7/18/2005.
2. ☒ The allowed claim(s) is/are 1-27.
3. ☒ The drawings filed on 17 November 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's ~~Amendment~~ Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Wenpeng Chen
Primary Examiner
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Examiner's Statement

1. The amendments filed on 7/18/2005 overcomes the followings, set forth in paper #5 mailed on 4/21/2004:

-- objection to specification (paragraph 1);

-- rejections to Claims 3, 5, 17, 18, 20, and 22-27 under 35 U.S.C. 112, second paragraph.

2. Applicant's arguments, filed 7/18/2005, with respect to Claim 1 have been fully considered and are persuasive. The following rejections, set forth in paper #5, have been withdrawn;

-- rejections to Claims 1-3, 6-15, 19, 21, and 27 under 35 U.S.C. 102(e) as being anticipated by Abdel-Mottaleb (US Patent 6,424,789);

-- rejections to Claims 4-5 under 35 U.S.C. 103(a) as being unpatentable over Abdel-Mottaleb (US Patent 6,424,789) as applied to Claim 1, and further in view of Mehrotra et al. (US patent 6,665,423;)

-- rejection to Claim 16 under 35 U.S.C. 103(a) as being unpatentable over Abdel-Mottaleb (US Patent 6,424,789) as applied to Claim 15, and further in view of Park et al. (US patent 6,597,738.)

The Applicants correctly pointed out that Abdel-Mottaleb measures differences between frames in a shot to classify the shot. Because Claim 1 requests the feature of "classifying each of the plurality of input frames according to a content characteristic of each of the input frames," it distinguishes itself from the teaching of Abdel-Mottaleb.

Examiner's Statement of Reasons for Allowance

3. Claims 1-27 are allowed.

The following is an examiner's statement of reasons for allowance. The prior art fails to teach the method of Claim 1 and the system of Claim 27 that specifically comprise the following features in combination with other recited limitations:

-- **classifying each** of the plurality of input frames **according to a content characteristic of each of the input frames;**

-- **allocating an output frame play time to each** of the plurality of input frames that is **based on the content characteristic of each of the input frames to generate a plurality of output frames.**

Two new relevant references are cited in the attached form PTO-892. Neither Nakajima et al. (US patent 5,754,728) nor Kim et al. (US patent 6,611,653) teaches the combination of the features of "classifying a frame according to a content characteristic of the frame" and "allocating an output frame play time to the frame based on the content characteristic of the frame to generate a plurality of output frames." Kim teaches a combination of the features of "determining a content characteristic of a frame" and "allocating an output frame play time to the frame based on the content characteristic of the frame to generate a plurality of output frames." However Kim does not teach classifying a frame for play time control.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the

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issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wenpeng Chen whose telephone number is 571-272-7431. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on 571-272-7437. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications. TC 2600's customer service number is 571-272-2600.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

August 1, 2005

Wenpeng Chen
Primary Examiner
Art Unit 2624

